

1 JUDGE FRANKLIN D. BURGESS
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

8 UNITED STATES OF AMERICA,) NO. CR06-5202FDB
9 Plaintiff,)
10 vs.) ORDER GRANTING STIPULATED
11 VERNON ROBERT GRIFFIN,) MOTION TO CONTINUE
12 Defendant.) SUPPRESSION HEARING AND
13) TRIAL DATE
14 _____)

14 Based on the stipulated motion of the parties to continue the suppression hearing
15 and the trial date, the Court makes the following findings of fact and conclusions of law:

- 16 1. The ends of justice served by granting this continuance outweigh the best
17 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).
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19 2. Proceeding to trial absent adequate time for the defense to prepare would
20 result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(I).
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22 3. The defense needs additional time to explore issues of some complexity,
23 including all relevant issues and defenses applicable to the case, which would make it
24 unreasonable to expect adequate preparation for pretrial proceedings or for trial itself
25 within the time limits established by the Speedy Trial Act and currently set for this case.
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18 U.S.C. § 3161(h)(8)(B)(ii).

1 4. Taking into account the exercise of due diligence, a continuance is necessary
2 to allow the defendant the reasonable time for effective preparation his defense. 18
3 U.S.C. § 3161(h)(8)(B)(iv).

4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the trial date is continued from August 14, 2006
6 to October 16, 2006. The resulting period of delay from August 14, 2006, up to and
7 including the new trial date of October 16, 2006, is hereby excluded for speedy trial
8 purposes under 18 U.S.C. § 3161(h)(8)(A) and (B).

9 Pre-trial motions are due no later than August 22, 2006.

10 Pre-trial conference shall be on October 5, 2006, at 2:00 pm.

11 The evidentiary hearing on Defendant's motion to suppress will be rescheduled
12 under separate Order of the Court.

13 DONE this 31st day of July, 2006.



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15 FRANKLIN D. BURGESS
16 UNITED STATES DISTRICT JUDGE
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Presented By:

18 s/ Colin Fieman
19 Attorney for Defendant

18 s/ Gregory Gruber
19 Assistant United States Attorney

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